

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

NO. 3:21-CR-00440-M

v.

JOHN GRISHAM (01)
ROB WILBURN (02)

**PROTECTIVE ORDER LIMITING DISCLOSURE OF
DISCOVERY MATERIALS**

Before the Court is the United States’ (the “Government”) unopposed motion for a Protective Order limiting disclosure of discovery materials, filed on October 27, 2021. (Dkt. No. 23.) The Court finds that good cause has been established to restrict disclosure and handling of discovery in this case and that this Protective Order is a reasonable measure that protects the rights of the defendants, the public, and witnesses involved in this case. After consideration, the Court determines that the motion should be and is hereby **GRANTED**. Therefore, pursuant to Rules 16 and 49.1 of the Federal Rules of Criminal Procedure, and the inherent authority of this Court, I hereby **ORDER** the following:

That any discovery materials (or any copies thereof) provided by the Government to the defense:

- a. are not to be discussed with nor disclosed to anyone other than the named defendants, this Court, defendants’ attorneys of record, and staff of defendants’ attorneys of record, including investigators, paralegals, expert witnesses, and other contracted agents associated with the attorneys of record for purposes of defense preparation (the “Defense Team”) and witnesses;
- b. may be provided to defendants only through a secure database in which defendants:
 - (i) cannot download, delete, edit, print to PDF, print or view in native format, and

(ii) are further prohibited from taking “screen shots” of documents or sharing login credentials with others.

- c. will not be copied, except to the extent needed as exhibits for trial, pretrial hearings, or pleadings, or as defense counsel’s working copies (including copies for counsel’s experts or agents);
- d. will not be shared outside of the defendants’ counsels’ office, defense expert’s office, or correctional facility library with any person not employed by, or an agent of defendants’ counsel;
- e. will not be provided to, or kept by, a witness, except that defendant’s counsel, or agent of defendant’s counsel, may show discovery to a witness as described in subparagraph (c) above, and at a witness’s attorney’s office or the witness’s usual place of work or residence; and;
- f. any attorney of record who is retained or appointed to represent a defendant or who is later relieved of representation of a defendant is bound by the terms of this Order unless excused from its terms by Court Order.

IT IS FURTHER ORDERED that prior to providing discovery to a member of the Defense Team, defense counsel is required to provide a copy of this Protective Order to: (a) the Defense Team member receiving discovery and obtain written acknowledgement that the Defense Team member is bound by the terms and conditions of this Protective Order and (b) to the Defendant who acknowledges that he or she understands that, the Government, upon any violation of this Protective Order, may: (i) seek a court order to terminate defendants’ use of an online review platform, and (ii) move to modify the Defendants’ conditions of release to address continued mishandling of confidential

information. The written consent need not be disclosed or produced to the Government unless ordered by the Court.

IT IS FURTHER ORDERED that this Protective Order does not limit employees of the United States Department of Justice (“Department of Justice”) from disclosing the discovery to members of the Department of Justice, United States Attorney’s Office, law enforcement agencies, and to the Court and the Defense Team, as necessary to comply with the Government’s discovery obligations.

IT IS FURTHER ORDERED that any person who willfully violates this Protective Order may be held in contempt of court and may be subject to monetary or other sanctions as deemed appropriate by this Court.

Signed and entered this ____ day of October, 2021.

BARBARA M. G. LYNN
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS